

REMARKS

In the Office Action mailed August 5, 2008 the Office noted that claims 1-30 were pending and rejected claims 1-30. Claims 1, 3 and 4 have been amended, claim 2 has been canceled, and, thus, in view of the foregoing claims 1 and 3-30 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

REJECTIONS under 35 U.S.C. § 102

Claim 1 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Nagano, U.S. Patent No. 5,288,278. The Applicants respectfully disagree and traverse the rejection with an argument and amendment.

Nagano discusses having link plates connected to be oscillatable relative to one another within a predetermined range of flexion.

The Applicants have amended claim 1 to include the features of claim 2. Claim 1 further recites "wherein the anti-rotation elements (12) comprise spacers (13a, 13b) interpositioned between the external plates (4, 5) of each external link (2) and the internal plates (7, 8) of each internal link (3) at the respective ends thereof, the spacers (13a, 13b) reducing a possibility of torsional rotation between each pair of external links (2) and internal links (3) about a longitudinal alignment axis (Y) of the pair which is perpendicular to a

corresponding main rotation axis (X) thereof."

The spacer members 10 of Dupoyet, U.S. Patent No. 4,265,134, render rigid with each other the outer plates 1, 1b and they are not subject to the forces to which the chain is subjected (See col. 5, line 38), thus the spacer members cannot perform an anti-torsional function.

Further, there are no other elements in Dupoyet that can perform an anti-torsional function. In particular, the outer edge portion 5, 5a and 5c of Dupoyet are positioned in the middle zone of the inner plates of the chain. They do not both contact together the adjacent external plates, but, when the rotation angle between the two adjacent internal and external plates exceeds a certain value, one of the two outer edge portions 5, 5a and 5c loses contact with the adjacent plate, so that any anti torsional effect is lost. The outer edge portion of Dupoyet may only perform an anti-torsional effect only when external and internal plates are longitudinally aligned.

The amended claim requires the spacers 13a and 13b to be positioned on the end portions of the external plates 4 and 5, so they always contact the internal plates 7 and 8 and the anti-torsional effect is always performed, irrespective of the angular position around the main axis.

Further, the outer edge portions, 5, 5a and 5c of Dupoyet perform the function of facilitating the engagement of the teeth sprockets of the chain. Thus, they cannot perform any

anti-torsional function. With reference to figures 13 to 13 of Dupoyet, if the upper external plate 9 moves as to exit from the sheet, sliding on the edge portion 5, the lower external plate 9 can move as to enter in the sheet sliding on the edge portion 5, so that there can be a torsional movement between the internal and external sheets plates. In amended claim 1, spacers 13a and 13b must be interposed between the end portions of the internal plates. The Office does not assert and the Applicant has not found that Nagano discloses such a feature.

Therefore, for at least the reasons discussed above, claim 1 and the claims dependent therefrom are patentably distinguishable from Nagano and Nagano in view of Dupoyet.

As discussed above, Dupoyet does not disclose spacers interposed between the end portions of the internal plates. Therefore, Dupoyet does not disclose "the spacers (13a, 13b) comprise, for each main rotation axis (X), a first pair of the spacers (13a) interpositioned between the first external plate (4) and the first internal plate (7), and a second pair of the spacers (13b) interpositioned between the second external plate (5) and the second internal plate (8), and wherein each of the first pair and the second pair of spacers is formed by two spacers arranged in proximity of edges of the respective first and second external plate and the first and second internal plate, in positions which are symmetrically opposite with respect to the longitudinal axis (Y) of the link," as in amended claim 3.

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claims 2-18 and 30 stand rejected under 35 U.S.C. § 103(a) as being obvious over Nagano in view of Dupoyet, U.S. Patent No. 4,265,134. The Applicants respectfully disagree and traverse the rejection with an argument.

Claim 1 has been amended to include the features of claim 2. As argued above, amended claim 1 is patentably distinguishable from the combination of Nagano and Dupoyet.

For at least the reasons discussed above, Nagano and Dupoyet, taken separately or in combination, fail to render obvious the features of claim 3-18 and 30.

Claims 19-23 and 30 stand rejected under 35 U.S.C. § 103(a) as being obvious over Nagano in view of Wang, U.S. Patent No. 5,322,483.

Wang adds nothing to the deficiencies of Nagano and Dupoyet as applied against the independent claim. Therefore, for at least the reasons discussed above, Nagano, Dupoyet and Wang, taken separately or in combination, fail to disclose the features of claims 19-23 and 30.

Claims 24-26 and 28 stand rejected under 35 U.S.C. § 103(a) as being obvious over Nagano in view of Pierce, U.S. Patent No. 1,945,357.

Pierce adds nothing to the deficiencies of Nagano and

Dupoyet as applied against the independent claim. Therefore, for at least the reasons discussed above, Nagano, Dupoyet and Pierce, taken separately or in combination, fail to disclose the features of claims 24-26 and 28.

Claims 27 and 29 stand rejected under 35 U.S.C. § 103(a) as being obvious over Nagano in view of Pierce in further view of Klaucke, U.S. Patent No. 2,277,915.

Klaucke adds nothing to the deficiencies of Nagano, Dupoyet and Pierce as applied against the independent claim. Therefore, for at least the reasons discussed above, Nagano, Dupoyet, Pierce and Klaucke, taken separately or in combination, fail to disclose the features of claims 27 and 29.

Withdrawal of the rejections is respectfully requested.

#### SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 102 and 103. It is also submitted that claims 1 and 3-30 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



---

James J. Livingston, Jr.  
Reg.No. 55,394  
209 Madison St, Suite 500  
Alexandria, VA 22314  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

JJL/fb